

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of ROBERTS ET AL.	Filed: November 17, 2003
Application No: 10/714,447	Attorney Docket No.: A1479-3P US
Art Unit: 1624	Examiner: Emily Bernhardt
Title: Novel Compounds with Analgesic Effects	

MAIL STOP APPEAL BRIEF-PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT
APPEAL BRIEF (37 CFR 41.37) MAILED NOVEMBER 5, 2007**

Sir:

Applicants herein respond to the Notice of Non-Compliant Appeal Brief mailed November 5, 2007 by providing herewith a replacement Brief. The Appeal Brief accompanying this response supersedes the Appeal Briefs filed on June 25, 2007 and August 13, 2007.

Please find submitted herewith as part of Appendix B of the accompanying Appeal Brief, a terminal disclaimer disclaiming (except as provided in the terminal disclaimer attached hereto) the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior patent No. 6,696,447. The \$130 fee due in accordance with 37 C.F.R. § 1.20(d) for filing a terminal disclaimer accompanies this response.

Summary

Applicants respectfully submit the Appeal Brief accompanying this response is complete. Applicants do not believe any fees in addition to the \$130 fee due in accordance with 37 C.F.R. § 1.20(d) for the accompanying Terminal Disclaimer are due but if any such additional fees are due, the Office is hereby authorized to charge any deficiency in the fees or credit any overpayment to deposit account No. 260166 referencing Attorney Docket No. A1479-3P US.

Respectfully submitted,

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